

Attorney Docket No.: 5739.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 03 2005

In re Application of: Weibel et al. Confirmation No.: 7926
Application No.: 09/450,609 Group Art Unit: 1617
Filed: November 30, 1999 Examiner: Kim, Jennifer M.
For: New Pharmaceutical Composition and the Process for Its Preparation

CERTIFICATE OF FACSIMILE TRANSMISSION
Fax No.: 703-872-9306

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

1. Response (8 pages)
2. Petition for Extension of Time (three month, in duplicate)

is being deposited with the United States Patent and Trademark Office:

via facsimile number 703-872-9306 on February 3, 2005.

Rosemarie R. Wilk-Orescan, Esq.
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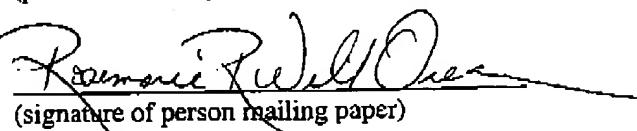
I hereby certify that the attached correspondence comprising:

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RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This amendment is submitted in response to the non-final Office Action on the merits mailed August 3, 2004, having a shortened statutory period for reply set to expire November 3, 2004, subject to extensions of time under the provisions of 37 CFR §1.136(a). A petition for a three (3) month extension of time to increase the period for reply from November 3, 2004, to February 3, 2005, is enclosed herewith to permit timely filing of this Amendment/Response.

The examiner states in the Office Action Summary that claims numbered 6, 7, 9, 12, 13, 16 and 28 are pending in the application; claims numbered 6, 7, 9, 12, 13, 16 and 28 are rejected; and claims numbered 29-31 are objected to.

Applicant respectfully submits claims numbered 6, 7, 9, 12, 13, 16 and 28-31 are pending in the application.

Pursuant to 37 C.F.R. §1.121, Applicant submits a complete listing of all of the claims ever presented for this pending application.